

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Michael Fantuzzi	
Appln. No.:	10/674,268	Confirmation No.: 3101
Filing Date:	September 29, 2003	Examiner: KOSSON, Rosanne
Title:	Solubilized CoQ-10	Group Art Unit: 1652

## TERMINAL DISCLAIMER

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Dear Sir:

The owner, Soft Gel Technologies, Inc., represents that it is the owner of 100 percent interest in the above-referenced Patent Application No. 10/674,268, filed on September 29, 2003, as indicated by the assignments duly recorded in the United States Patent and Trademark office at Reel 014733, Frame 0201, on November 28, 2003, and Reel 016307, Frame 0732, on December 8, 2004, and Reel 016307, Frame 0764, on December 8, 2004, and Reel 018530, Frame 0846, on November 17, 2006, as well as the owner of 100 percent interest of:

U.S. Patent No. 7,169,385, issued January 30, 2007, as indicated by the assignments duly recorded in the United States Patent and Trademark Office at Reel 015514, Frame 0377, on June 29, 2004, and Reel 015618, Frame 0462, on January 24, 2005, and Reel 018530, Frame 0863, on November 17, 2006;

U.S. Patent No. 7,273,606, issued on September 25, 2007, as indicated by the assignment duly recorded in the United States Patent and Trademark Office at Reel 018530, Frame 0877, on November 17, 2006;

U.S. Patent No. 7,713,523, issued on May 11, 2010, as indicated by the assignment duly recorded in the United States Patent and Trademark Office at Reel 022877, Frame 0327, on June 25, 2009; and

U.S. Application No. 10/953,328, filed September 29, 2004, as indicated by the assignment duly recorded in the United States Patent and Trademark Office at Reel 016005, Frame 0390, on November 22, 2004

The owner hereby disclaims the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory

terms of U.S. Patent Nos. 7,169,385; 7,273,606; and 7,713,523, and beyond the expiration date of the full statutory term of any patent granted on U.S. Patent Application No. 10/953,328, as such terms are defined in 35 U.S.C. §§ 154 and 173. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent Nos. 7,169,385; 7,273,606; and 7,713,523, and any patent granted on U.S. Patent Application No. 10/953,328, are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory terms as defined in 35 U.S.C. §§ 154 and 173 of U.S. Patent Nos. 7,169,385; 7,273,606; and 7,713,523, and any patent granted on U.S. Patent Application No. 10/953,328, as presently shortened by any terminal disclaimer, in the event that the prior patents later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or in part, are terminally disclaimed under 37 C.F.R. § 1.321, have all claims canceled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$70.00 for each patent and patent application being disclaimed was previously paid. Applicant believes that no additional fees are due, but Applicant authorizes a charge to Deposit Account No. 04-1415 in the event any additional fees are required.

Dated: September 20, 2011.

Respectfully submitted,

  
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